

### **REMARKS/ARGUMENTS**

Claims 3, 4, 7-15, 20, 22-32 and 57-63 stand withdrawn and claims 1, 2, 5, 6, 16-19, 21 and 33-56 rejected in the outstanding Official Action. Applicants have cancelled without prejudice claims 6, 33 and 55-63 and amended claims 1, 34-38, 41 and 43. Accordingly, claims 1-5, 7-32 and 34-54 are the only claims remaining in this application.

The Examiner's acknowledgment of Applicants' claim for priority and receipt of the certified copy of the priority document is very much appreciated. Additionally, the Examiner's notification of PTO acceptance of the originally filed formal drawings is very much appreciated. Finally, the Examiner's consideration of the prior art previously submitted by Applicants in the Information Disclosure Statement is appreciated.

On pages 2 and 3 of the outstanding Official Action, the Examiner restates the restriction requirement and Applicants' appreciate the Examiner's finding that each of the separate species is patentably distinct from the other species. Applicants elect Species VI directed to claims 33-47. However, Applicants have cancelled without prejudice claim 33 and incorporated the subject matter therewith into previously indicated generic claim 1. Accordingly, all remaining claims are dependent on claim 1 which includes the species VI limitation and are thus readable on species VI. Accordingly, Applicants have elected species VI, but amended the generic claim 1 to incorporate the subject matter of species claim 33 therefore placing all pending claims within the scope of species VI.

Claim 6 is rejected under the provisions of 35 USC §112 (second paragraph) as being indefinite. Applicants have cancelled claim 6 without prejudice, thereby obviating any further rejection thereof.

On page 4 of the Official Action, claims 1, 2, 5, 6, 16, 55 and 56 stand rejected under 35 USC §102 as being anticipated by Sorimachi (U.S. Patent 4,867,570). As the limitations of claim 33 has been to claim 1 and each of the claims dependent thereon, this amendment obviates the rejection of claims 1, 2, 5, 6, 16, 55 and 56 and any further rejection thereunder is respectfully traversed.

On pages 5 and 6 of the Official Action, claims 17-19 and 21 stand rejected as being obvious over Sorimachi in combination with various other references. Inasmuch as these claims ultimately depend from independent claim 1 (as now limited by former claim 33), these rejections have been obviated.

On page 6, claims 33-43 and 46 stand rejected under 35 USC §103 as unpatentable over Sorimachi in view of Magarill (U.S. Patent 5,625,738). Claim 33 has been cancelled without prejudice and the subject matter has been incorporated in amended claim 1 from which all other claims depend. Accordingly, Applicants will respond on the merits to the rejection of claim 1 (as limited by claim 33) with respect to the Sorimachi/Magarill combination.

As the Examiner has previously pointed out, Sorimachi teaches a ranging device that projects a two-dimensional array of spots towards the scene. He also impliedly admits that Sorimachi does not teach a light source arranged to illuminate part of the input face of a light guide (“it would have been obvious to modify Sorimachi to include the illumination means comprises a light source arranged to illuminate part of the input face of a light guide.” Official Action, page 6).

However, the Examiner incorrectly suggests that Magarill teaches “a light source arranged to illuminate part of the input face of a light guide.” (Official Action, page 6).

Reviewing the Magarill abstract, the claimed invention is clearly a system “for providing uniform illumination of a light valve” (See light valve 12 in Figure 1). It is noted that light source 4, when reflected and passed through the disclosed lenses and the light tunnel 2, fully illuminates light valve 12. This is also identified as the desirable consequence of the present invention in column 1, line 10, “deliver uniform illumination onto a light valve.” Thus, Magarill teaches away from any sort of illumination means which provides a projected two-dimensional array of light spots as required by Applicants’ claim 1 and all claims dependent thereon.

Claim 1 also requires that the illumination means comprise a light source arranged “to illuminate only part of the input face of a light guide” and Magarill teaches away from this claimed limitation in its suggestion of “providing uniform illumination of a light valve.”

Given the Examiner’s apparent admission that Sorimachi does not teach a “light source arranged to illuminate only part of the input face of a light guide” and that Magarill teaches away from such partial illumination (and in suggesting a substantially uniform illumination), there is simply no disclosure of the features of Applicants’ claim 1 in either the Sorimachi or Magarill references. Since neither reference teaches this claimed feature of independent claim 1, even if combined, the Sorimachi/Magarill references cannot render obvious the subject matter of claim 1 or claims dependent thereon and therefore any further rejection of claim 1 or claims dependent thereon is respectfully traversed.

Additionally, even if there were a disclosure of the light source illuminating only part of the input face of a light guide in one of the Sorimachi and Magarill references, there is no required “reason” or “motivation” to combine these references. Finally, even if there were some reason to combine the references, the fact that Magarill teaches the desirability of uniform

illumination, clearly leads those of ordinary skill in the art away from Applicants' claimed combination of elements including only partial illumination.

The Examiner has not indicated where either of the two references disclose the limitations of claim 1, has not provided any reason or motivation for combining the two references and has not explained how one of ordinary skill in the art would know to disregard the uniform illumination taught by Magarill. Any one of the above reasons avoids any basis for an obviousness rejection of amended claim 1 (which includes the limitation of claim 33). The existence of all three distinctions clearly establishes the non-obviousness of the claimed combination in view of the Sorimachi and Magarill references. Any further rejection of independent claim 1 and claims dependent thereon over the Sorimachi/Magarill combination is respectfully traversed.

Inasmuch as all remaining claims are dependent from claim 1, claim 1 is clearly believed patentable over the Sorimachi/Magarill combination and any further rejection of claim 1 or claims dependent thereon is respectfully traversed.

In the Response to Arguments, the Examiner's notification of compliance with the PCT International application is very much appreciated.

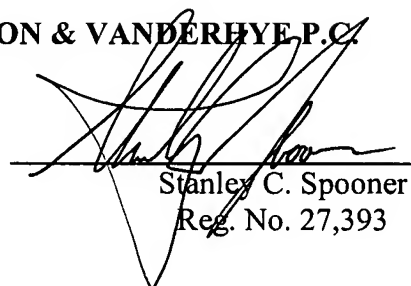
Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that remaining claims 1-5, 7-32 and 34-54 are in condition for allowance and notice to that effect is respectfully requested. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

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Respectfully submitted,

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